



Practitioner's Pocket No. 97-3-802CON1

FILE COPY PATENT

Receipt

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: O'BYRNE, Vincent A.

Application No.: 09/602,079

Group No.: 3634

Filed: 06/22/2000

Examiner: Unassigned

For: System and Method for Increasing CDMA Capacity by Frequency Assignment

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Assistant Commissioner for Patents  
Office of Initial Patent Examination  
Customer Service Center  
Washington, D.C. 20231

REQUEST FOR CORRECTED FILING RECEIPT

1. Attached is a copy of the official filing receipt received from the PTO in the above application for which issuance of a corrected filing receipt is respectfully requested.
2. There is an error with respect to this application being a Continuation of an earlier filed application.

CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. 1.8a)

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Date:

2/5/2001

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☐ transmitted by facsimile to the Patent and Trademark Office.

Signature

Robert McHugh

(type or print name of person certifying)

***Error in***

1. US Priority claimed section

***Correct data***

1. This application is a Continuation of 09/050,680  
filed March 30, 1998

3. The above correction is not due to any error by the applicant and so no fee is due

Reg. No. 44,399  
Tel. No.: (781) 466-2220

  
SIGNATURE OF PRACTITIONER

James K. Weixel  
Verizon Services Group  
600 Hidden Ridge Road HQE03H01  
Irving, TX 75038

**FILING RECEIPT**

\*OC00000005333829\*

**UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office**Address: ASSISTANT SECRETARY AND  
COMMISSIONER OF PATENT AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/602,079	06/22/2000	2744	1236	97-3-802	9	11	10

Leonard Charles Suchyta  
GTE Service Corporation  
600 Hidden Ridge  
HQE03G13  
Irving, TX 75038RECEIVED  
MAY 9 - 2001  
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Date Mailed: 08/18/2000

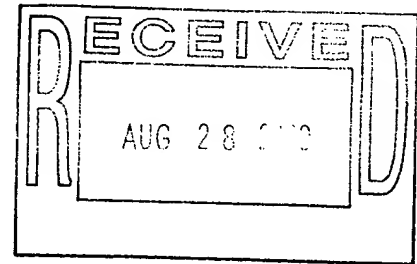
Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the PTO processes the reply to the Notice, the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).**

**Applicant(s)**

Vincent A. O'Byrne, Brighton, MA ;

**Continuing Data as Claimed by Applicant****Foreign Applications**

If Required, Foreign Filing License Granted 08/17/2000

**Title**

System and method for increasing CDMA capacity by frequency assignment

**Preliminary Class**

455

Data entry by : HARDY, EUGENIA

Team : OIPE

Date: 08/18/2000





CONTINUATION APPLICATION TRANSMITTAL FORM

PATENT  
Docket No: 97-3-802CON1  
Prior Application 09/050,680

Anticipated Classification  
Of this Application:

Class	SubClass	Examiner	Art Unit
<u>455</u>	<u>447</u>	<u>Q. Vuong</u>	<u>2744</u>

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To the Commissioner of Patents and Trademarks:

This is a request for filing a Continuation of a utility application under 37 CFR 1.53(b),  
of pending prior application Serial Number 09/050,680 filed on 3/30/1998 for SYSTEM  
AND METHOD FOR INCREASING CDMA CAPACITY currently pending (Parent).

The benefit of an earlier filing date under 35 U.S.C. §120 is claimed.

Certification Under 37 CFR 1.10

I hereby certify that this New Application Transmittal and the documents referred to as enclosed therein are being deposited with the  
United States Postal Service on this date 6/22/00 in an envelope as "Express Mail Post Office to Addressee"  
mailing label Number EK092690216US addressed to the: Assistant Commissioner for Patents, Box Patent Application, Washington,  
D.C. 20231.

Mary E. Anza

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RECEIVED IN THE U.S. PATENT & TRADEMARK OFFICE

In re. New Patent Application of Vincent A. O'Byrne for SYSTEM AND METHOD FOR  
INCREASING CDMA CAPACITY BY FREQUENCY ASSIGNMENT consisting of:  
CONTINUATION APPLICATION TRANSMITTAL WITH CERTIFICATE OF MAILING  
BY EXPRESS MAIL & DEPOSIT ACCOUNT AUTHORIZATION (4 Pages; In  
Duplicate); PRELIMINARY AMENDMENT WITH CERTIFICATE OF MAILING BY  
EXPRESS MAIL & DEPOSIT ACCOUNT AUTHORIZATION (10 Pages); 9 SHEETS OF  
FORMAL DRAWINGS; COPY OF ORIGINAL APPLICATION AS FILED WITH COVER  
SHEET & DRAWINGS (30 Pages); COPY OF NOTICE OF RECORDATION, FORM  
PTO 1595 & ASSIGNMENT IN ORIGINAL APPLICATION (3 Pages); DECLARATION &  
POWER OF ATTORNEY IN ORIGINAL APPLICATION (2 Pages); INFORMATION  
DISCLOSURE STATEMENT & FORM PTO 1449 IN ORIGINAL APPLICATION (4  
Pages); 11 REFERENCES; NOTIFICATION OF FILING OF CONTINUING,  
DIVISIONAL OR CONTINUED PROSECUTION APPLICATION WITH CERTIFICATE  
OF MAILING BY EXPRESS MAIL (2 Pages); INFORMATION DISCLOSURE  
STATEMENT IN CONTINUATION APPLICATION WITH CERTIFICATE OF MAILING  
BY EXPRESS MAIL (2 Pages);  
FORM PTO 1449 (2 Pages); 1 REFERENCE.  
97-3-802CON1 Dated: 6/22/00 WEW:ma



Practitioner's Docket No. 97-802

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: O'Byrne, Vincent A.  
Application No.: 09/050,680 Group No.: 2744  
Filed: March 30, 1998 Examiner: Q. Vuong  
For: SYSTEM AND METHOD FOR INCREASING CDMA CAPACITY BY FREQUENCY  
ASSIGNMENT

Assistant Commissioner for Patents  
Washington D.C. 20231

NOTIFICATION OF FILING OF CONTINUING, DIVISIONAL  
OR CONTINUED PROSECUTION APPLICATION

Notification is hereby being made of the filing of a continuation application for this case concurrently herewith.

**CERTIFICATION UNDER 37 C.F.R. sections 1.8(a) and 1.10\***  
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37 C.F.R. section 1.8(a)

37 C.F.R. section 1.10\*

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Date: 6/22/00

Mary E. Anza  
Signature

Mary E. Anza  
(type or print name of person certifying)

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"Since the filing of correspondence under [section] 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will not be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

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Bib Data Sheet

CONFIRMATION NO. 8841

<b>SERIAL NUMBER</b> 09/602,079	<b>FILING DATE</b> 06/22/2000 <b>RULE</b>	<b>CLASS</b> 455	<b>GROUP ART UNIT</b> <del>2744</del> 2685	<b>ATTORNEY DOCKET NO.</b> 97-3-802
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## APPLICANTS

Vincent A. O'Byrne, Brighton, MA;

## \*\* CONTINUING DATA \*\*\*\*\*

THIS APPLICATION IS A CON OF 09/050,680 03/30/1998 *er*

## \*\* FOREIGN APPLICATIONS \*\*\*\*\*

*NINE*IF REQUIRED, FOREIGN FILING LICENSE  
GRANTED \*\* 08/17/2000

Foreign Priority claimed <input type="checkbox"/> yes <input checked="" type="checkbox"/> no	STATE OR COUNTRY MA	SHEETS DRAWING 9	TOTAL CLAIMS 11	INDEPENDENT CLAIMS 10
35 USC 119 (a-d) conditions met <input type="checkbox"/> yes <input checked="" type="checkbox"/> no <input type="checkbox"/> Met after Allowance				
Verified and Acknowledged Examiner's Signature <i>er</i> Initials				

## ADDRESS

Leonard Charles Suchyta  
GTE Service Corporation  
600 Hidden Rideg  
HQE03G13  
Irving ,TX 75038

## TITLE

System and method for increasing CDMA capacity by frequency assignment

<b>FILING FEE RECEIVED</b> 1236	FEES: Authority has been given in Paper No. _____ to charge/credit DEPOSIT ACCOUNT No. _____ for following:	<input type="checkbox"/> All Fees
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